

"RETAIN FOR SUBSEQUENT COUNCIL PUBLIC HEARING"



**CITY OF EL PASO, TEXAS
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT**

MEMORANDUM

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
Patricia D. Adauto, Deputy City Manager
Laura Uribarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor

FROM: Fred Lopez, Urban Planner / Zoning Coordinator

SUBJECT: Council Agenda Item (Ordinance)
Introduction: November 09, 2004
Public Hearing: November 30, 2004

DATE: November 01, 2004

The following item has been scheduled for City Council action as noted above. Relevant information is attached. If you have any questions, please contact me at 541-4925.

AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACT 7, S.A. & M.G. RAILROAD SURVEY NO. 265, EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-4 (COMMERCIAL); PARCEL 2: A PORTION OF TRACT 7, S.A. & M.G. RAILROAD SURVEY NO. 265, AND A PORTION OF TRACTS 97E AND 97E1, S.A. & M.G. RAILROAD SURVEY NO. 267, EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-3 (COMMERCIAL); AND PARCEL 3: A PORTION OF TRACTS 97E AND 97E1, S.A. & M.G. RAILROAD SURVEY NO. 267, EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE. APPLICANT: JULIO JOINT VENTURE. ZON04-00105 (DISTRICT 1)

c: George Sarmiento, Planning Director; Rudy Valdez, Chief Urban Planner; Esther Guerrero, Planning Tech.; Lisa A. Elizondo, City Attorney; Theresa Cullen-Garney, Deputy City Atty.; Matt Watson, Assistant City Atty.; City Clerk's Office



PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT

MEMORANDUM

DATE: November 01, 2004

TO: The Honorable Mayor and City Council
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FROM: Fred Lopez, Urban Planner / Zoning Coordinator

SUBJECT: ZON04-00105

The City Plan Commission (CPC), on September 2, 2004, voted **4 - 0** to recommend **APPROVAL** of rezoning the subject property as follows, concurring with Staff's recommendation.

Parcel 1: From R-4 (Residential) to C-4 (Commercial)
Parcel 2: From P-I (Planned Industrial) to C-3 (Commercial)
Parcel 3: From P-I (Planned Industrial) to C-4 (Commercial)

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **OPPOSITION** to this request.

Attachment: Location Map

STAFF REPORT

Rezoning Case: ZON04-00105

Property Owner(s): Julio Joint Venture

Applicant(s): Julio Joint Venture

Representative(s): Conde, Inc.

Legal Description: Tract 7, S.A. & M.G. Railroad Survey No. 265, a portion of Tract 97E and all of Tract 97E1, S.A. & M.G. Railroad Survey No. 267

Location: Redd Road East of Doniphan Drive

Representative District: # 1

Area: 17.35 Acres

Present Zoning: R-4 (Residential), P-I (Planned Industrial)

Present Use: Vacant

Proposed Zoning: C-4 (Commercial)

Proposed Use: Office warehousing, retail commercial development

Surrounding Land Uses:

North -	R-3 (Residential), C-4/c (Commercial/conditions) / vacant
South -	A-2 (Apartment), C-4/sc (Commercial/special contract) / vacant land and commercial development
East -	A-2 (Apartment) / vacant
West-	PR-II (Planned Residential II), C-2 (Commercial) / single-family residential development and vacant land

Year 2025 Designation: Commercial, Residential (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, September 02, 2004,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Zoning Case: ZON04-00105

General Information:

The applicant is requesting a rezoning from R-4 (Residential) and P-I (Planned Industrial) to C-3 (Commercial) and C-4 (Commercial) in order to permit office warehousing and retail commercial development. The entire property is 17.35 acres in size and is currently vacant. The proposed site plan shows fourteen (14) office warehousing and retail commercial buildings to be located on the site. Access is proposed via Redd Road and Doniphan Drive. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from R-4 (Residential) and P-I (Planned Industrial) to C-3 (Commercial) and C-4 (Commercial). Please see the enclosed map labeled "Staff Recommendation" for more information.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso "provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development."

The Year 2025 Projected General Land Use Map for the **Northwest** Planning Area designates this property for **Commercial and Residential** land uses.

C-3 (Commercial) zoning permits retail commercial development and **is compatible** with adjacent development.

C-4 (Commercial) zoning permits office warehousing and retail commercial development and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-3 (Commercial) and C-4 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?

- B. Will office warehousing and retail commercial development be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:

Building #2 does not meet the required 15' front set back for the C-4 zone.

Engineering Department, Development Division Notes:

See Enclosure 1.

Engineering Department, Traffic Division Notes:

- A. No apparent traffic concerns.
- B. Sidewalks shall be provided coordinate entrances on Doniphan Drive with the Texas Department of Transportation.

Fire Department Notes:

Zoning change does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No comments.

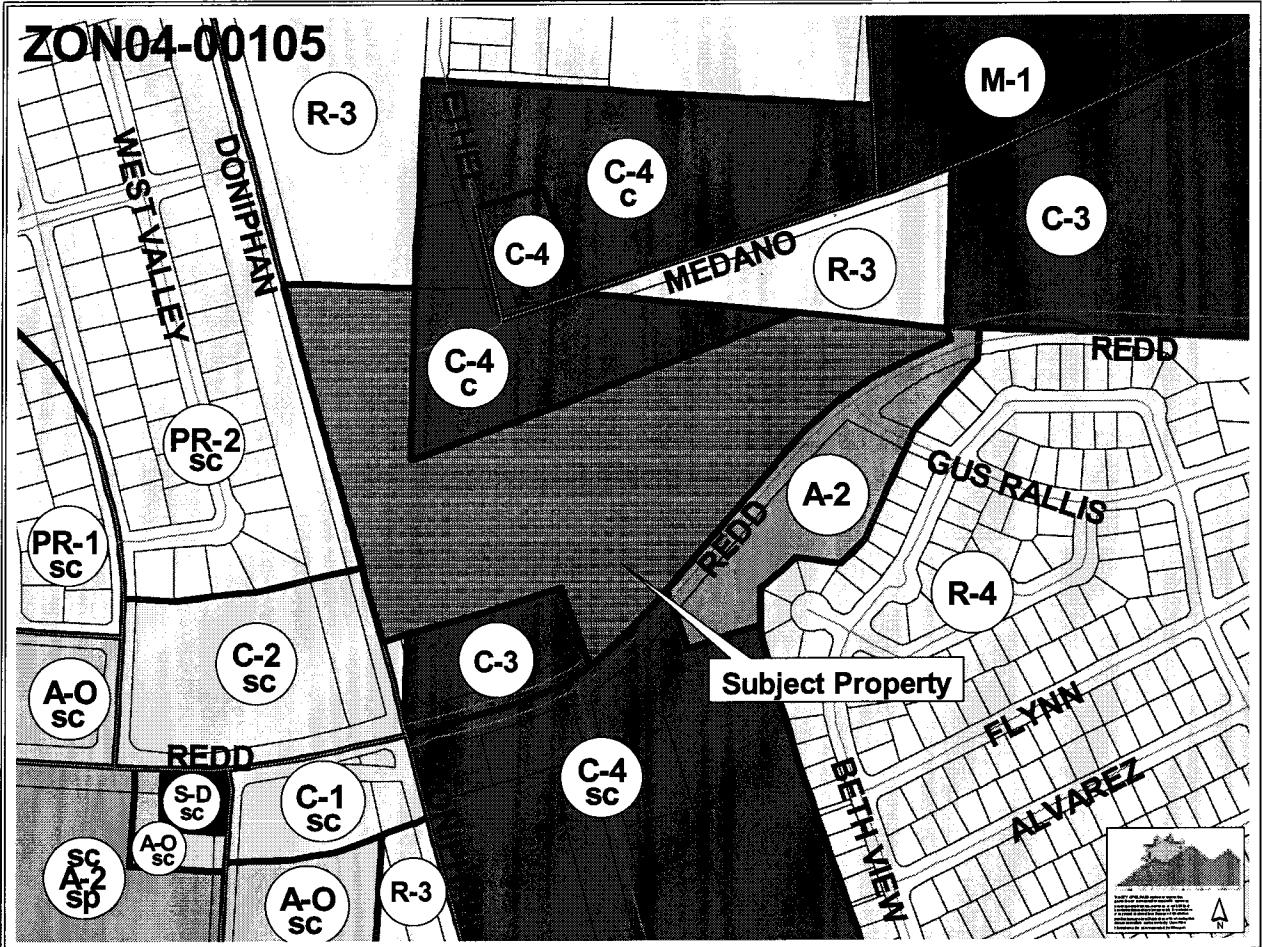
Planning, Research & Development Department Notes:

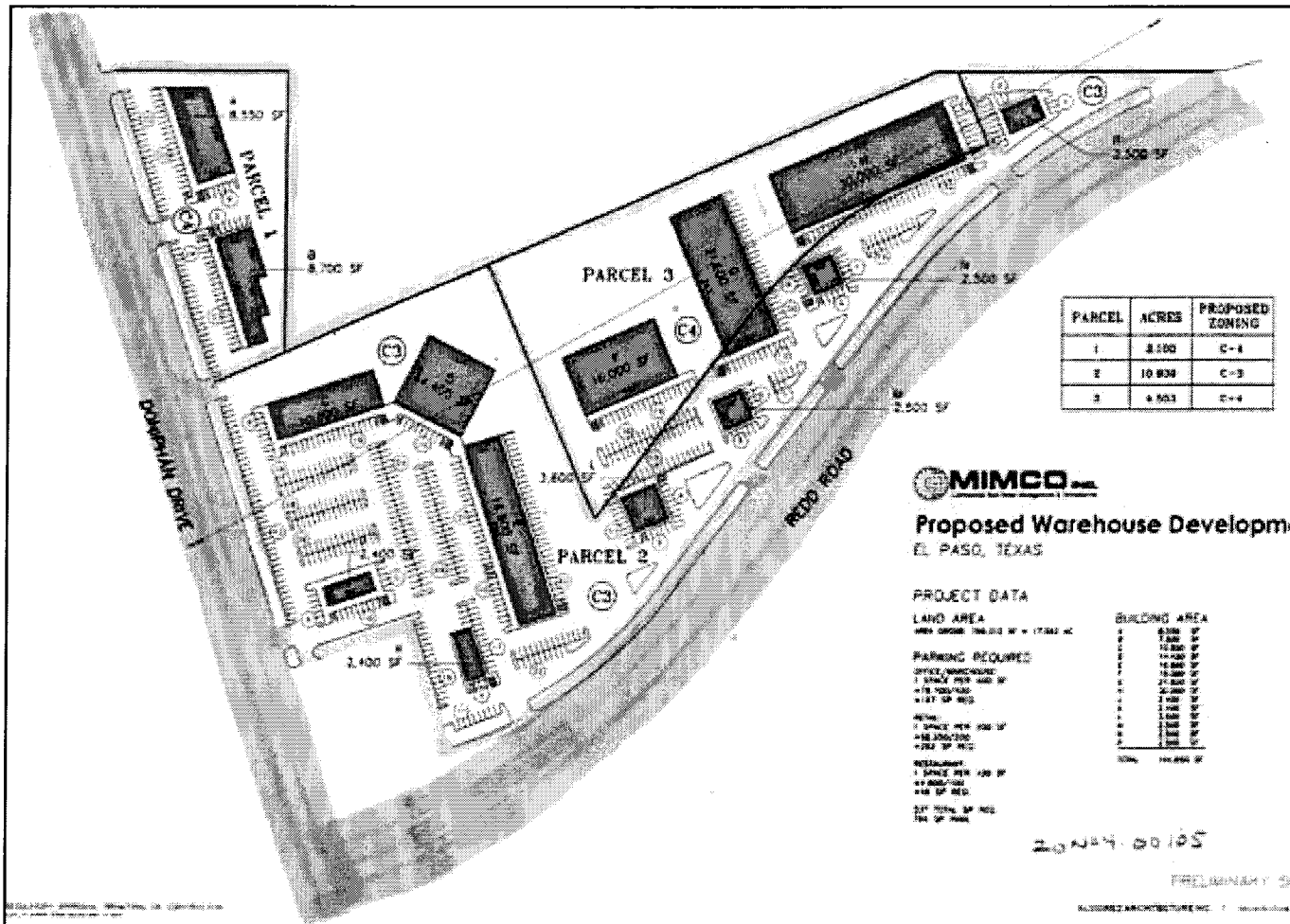
- A. The Year 2025 Projected General Land Use Map for the Northwest Planning Area designates this property for Commercial and Residential land uses.
- B. C-3 (Commercial) zoning permits retail commercial development and is compatible with adjacent development.
- C. C-4 (Commercial) zoning permits office warehousing and retail commercial development and is compatible with adjacent development.

ATTACHMENT: Site Plan; Enclosure 1

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

ZON04-00105





ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACT 7, S.A. & M.G. RAILROAD SURVEY NO. 265, EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-4 (COMMERCIAL); PARCEL 2: A PORTION OF TRACT 7, S.A. & M.G. RAILROAD SURVEY NO. 265, AND A PORTION OF TRACTS 97E AND 97E1, S.A. & M.G. RAILROAD SURVEY NO. 267, EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-3 (COMMERCIAL); AND PARCEL 3: A PORTION OF TRACTS 97E AND 97E1, S.A. & M.G. RAILROAD SURVEY NO. 267, EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of Parcel 1: *A portion of Tract 7, S.A. & M.G. Railroad Survey No. 265, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from R-4 (Residential) to C-4 (Commercial)**; Parcel 2: *A portion of Tract 7, S.A. & M.G. Railroad Survey No. 265, and a portion of Tracts 97E and 97E1, S.A. & M.G. Railroad Survey No. 267, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from P-I (Planned Industrial) to C-3 (Commercial)**; and Parcel 3: *A portion of Tracts 97E and 97E1, S.A. & M.G. Railroad Survey No. 267, El Paso, El Paso County, Texas, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from P-I (Planned Industrial) to C-4 (Commercial)**; within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2004.

(additional signatures on the following page)

THE CITY OF EL PASO

Joe Wardy, Mayor

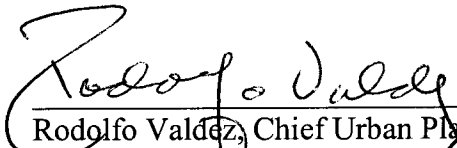
ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:



Fred Lopez, Zoning Coordinator
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:



Matt Watson, Assistant City Attorney

Being a portion of Tract 7, S.A. & M.G.
Railroad Survey No. 265,
City of El Paso, El Paso County, Texas
Prepared for: Schatzman Construction
October 14, 2004
(PARCEL 1)

Exhibit "A"

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 7, S.A. & M.G. Railroad Survey No. 265, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing City Monument in the centerline intersection of Doniphan Drive (U.S. Highway 80A) and Redd Road; Thence along centerline of Redd Road North $14^{\circ}06'29''$ West a distance of 725.51 feet to a point on the easterly right-of-way line of Doniphan Drive for the "TRUE POINT OF BEGINNING".

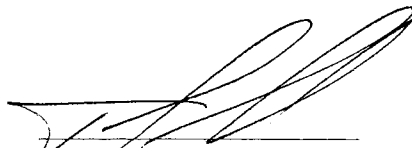
Thence continuing said right-of-way line North $17^{\circ}54'00''$ West a distance of 528.09 feet to a 5/8" rebar found at the northwest corner of the herein described Tract of land;

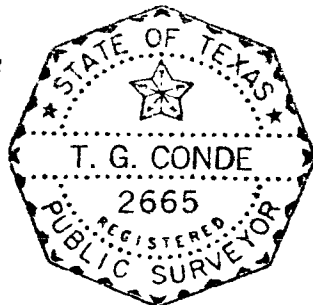
Thence leaving said right-of-way line South $90^{\circ}00'00''$ East a distance of 287.71 feet to a 5/8" rebar set at the northwest corner of Survey No. 267 and also being the southwest corner of S.A. & M.G. Railroad Survey No. 266;

Thence South $00^{\circ}07'33''$ West a distance of 449.23 feet to a steel pipe in concrete found;

Thence South $66^{\circ}48'28''$ West a distance of 135.35 feet to the "TRUE POINT OF BEGINNING" and containing in all 2.300 acres of land more or less.

Not a ground survey.


Tony G. Conde
R.P.L.S. No. 2665



job #0704-27 T.C.
LGL-07\070427PARCEL1.LGL

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Z0N04-00105

Being a portion of Tract 7, S.A. & M.G. Railroad
Survey No. 265, and portion of Tracts 97E and
97E-1, S.A. & M.G. Railroad Survey No. 267,
City of El Paso, El Paso County, Texas
Prepared for: Schatzman Construction
October 14, 2004
(PARCEL 2)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 7, S.A. & M.G. Railroad Survey No. 265, and portion of Tracts 97E and 97E-1, S.A. & M.G. Railroad Survey No. 267, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing City Monument in the centerline intersection of Doniphan Drive (U.S. Highway 80A) and Redd Road; Thence along centerline of Redd Road North $71^{\circ}44'00''$ East a distance of 250.00 feet; Thence leaving said centerline North $18^{\circ}16'00''$ West a distance of 60.00 feet to a point for the "TRUE POINT OF BEGINNING".

Thence leaving said right-of-way line North $18^{\circ}16'00''$ West a distance of 54.58 feet to a point;

Thence North $67^{\circ}44'00''$ East a distance of 239.51 feet to a point;

Thence North $21^{\circ}23'30''$ West a distance of 228.99 feet to a point;

Thence South $71^{\circ}44'00''$ West a distance of 411.81 feet to a point;

Thence South $00^{\circ}00'00''$ East a distance of 46.69 feet to a point on the easterly right-of-way line of Doniphan Drive;

Thence along said right-of-way line North $17^{\circ}54'00''$ West a distance of 408.01 feet to a point;

Thence leaving said right-of-way line North $66^{\circ}48'28''$ East a distance of 493.35 feet to a point;

Thence South $23^{\circ}11'32''$ East a distance of 443.45 feet to a point;

Thence North $37^{\circ}24'09''$ East a distance of 414.29 feet to a point;

Thence 398.83 feet along the arc of a curve to the right whose radius is 775.00 feet whose interior angle is $29^{\circ}29'08''$ whose chord bears North $52^{\circ}08'43''$ East a distance of 394.44 feet to a point;

Thence North $66^{\circ}53'17''$ East a distance of 71.47 feet to a point;

Thence North $23^{\circ}06'43''$ West a distance of 126.36 feet to a point;

Thence North $89^{\circ}56'18''$ East a distance of 389.86 feet to a point on the northerly right-of-way line of Redd Road;

Thence continuing along said right-of-way line the following Four courses:

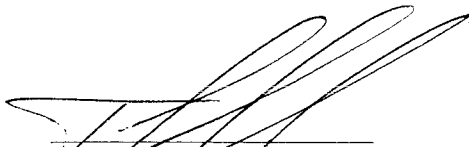
1. 623.69 feet along the arc of a curve to the left whose radius is 1069.95 feet whose interior angle is $33^{\circ}23'55''$ whose chord bears South $54^{\circ}01'19''$ West a distance of 614.90 feet to a point;

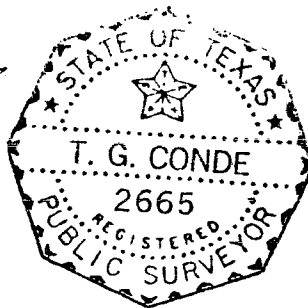
2. South $37^{\circ}19'21''$ West a distance of 590.37 feet to a point;

3. 410.06 feet along the arc of a curve to the right whose radius is 682.76 feet whose interior angle is $34^{\circ}24'39''$ whose chord bears South $54^{\circ}31'40''$ West a distance of 403.92 feet to a point;

4. South $71^{\circ}44'00''$ West a distance of 18.17 feet to the "TRUE POINT OF BEGINNING" and containing in all 9.005 acres of land more or less.

Not a ground survey.


Tony G. Conde
R.P.L.S. No. 2665



job #0704-27 T.C.
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Being a portion of Tracts 97E and 97E-1,
S.A. & M.G. Railroad Survey No. 267,
City of El Paso, El Paso County, Texas
Prepared for: Schatzman Construction
October 14, 2004
(PARCEL 3)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tracts 97E and 97E-1, S.A. & M.G. Railroad Survey No. 267, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing City Monument in the centerline intersection of Doniphan Drive (U.S. Highway 80A) and Redd Road; Thence along centerline of Redd Road North $42^{\circ}37'36''$ East a distance of 666.36 feet to a point for the "TRUE POINT OF BEGINNING".

Thence North $23^{\circ}11'32''$ West a distance of 443.45 feet to a point;

Thence North $66^{\circ}48'28''$ East a distance of 781.53 feet to a point

Thence North $89^{\circ}56'18''$ East a distance of 35.48 feet to a point

Thence South $23^{\circ}06'43''$ East a distance of 126.36 feet to a point;


Thence South $66^{\circ}53'17''$ West a distance of 71.47 feet to a point;

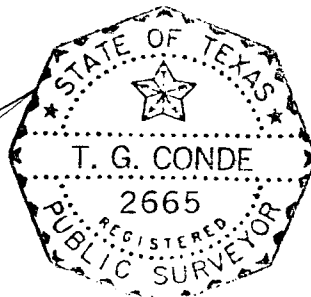
Thence 398.83 feet along the arc of a curve to the left whose radius is 775.00 feet whose interior angle is $29^{\circ}29'08''$ whose chord bears South $52^{\circ}08'43''$ West a distance of 394.44 feet to a point;

Thence South $37^{\circ}24'09''$ West a distance of 414.29 feet to the "TRUE POINT OF BEGINNING" and containing in all 4.568 acres of land more or less.

Not a ground survey.

job #0704-27 T.C.
LGL-07\070427\PARCEL3.LGL


Tony G. Conde
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